

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cowan *et al.*

Appl. No.: 10/564,967

Filed: January 18, 2006

For: **An Apparatus and Method for
Awarding a Prize**

Confirmation No.: 5392

Art Unit: 3712

Examiner: To Be Assigned

Atty. Docket: 2471.0010000

First Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than

three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).

☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than

three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- ☒ 7. Copies of documents FP1-FP17 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached IDS Forms are submitted.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed

_____, which is relied upon for an earlier filing date under 35 U.S.C.
§ 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

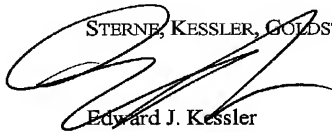
- ☒ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no. PCT/AU04/00964 filed on July 16, 2004 in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Edward J. Kessler
Attorney for Applicants
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Date:

17 Jan. 2007

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DOC#631504_1.DOC

Substitute for form 1449A/PTO				Complete if Known	
FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/564,967
				Filing Date	January 18, 2006
				First Named Inventor	Stephen Cowan
				Art Unit	3712
				Examiner Name	To Be Assigned
Sheet	1	of	2	Attorney Docket Number	2471.0010000

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number:Kind Code ² (if Known)			
	US1	5,116,055 A	05-26-1992	Tracy	
	US2	5,393,057 A	02-28-1995	Marnell, II	
	US3	6,062,981 A	05-16-2000	Luciano, Jr.	
	US4	6,155,925 A	12-05-2000	Giobbi et al.	
	US5	6,283,855 B1	09-04-2001	Bingham	
	US6	6,312,333 B1	11-06-2001	Acres	
	US7	6,471,591 B1	10-29-2002	Crumby	
	US8	6,585,592 B1	07-01-2003	Crumby	
	US9	6,656,048 B2	12-02-2003	Olsen	
	US10	2003/0036429 A1	02-20-2003	Witty et al.	
	US11	2003/0162588 A1	08-28-2003	Brosnan et al.	
	US12	2004/0053679 A1	03-18-2004	Getz et al.	
	US13	2004/0087368 A1	05-06-2004	Gausemann	
	US14				
	US15				
	US16				
	US17				
	US18				
	US19				
	US20				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	FP1	AU 714299 B1	12-23-1999	Johnson		
	FP2	AU 783417 B2	10-27-2005	Hunter et al.		
	FP3	AU 2003/203674 B1	10-16-2003	Green		
	FP4	AU 2003/246319 B2	10-09-2003	Acres		
	FP5	EP 0 874 337 A1	10-28-1998	Demar et al.		
	FP6	GB 2 139 390 A	11-07-1984	Harlick		
	FP7	JP 2001/195359 A	07-19-2001	Inoue		
	FP8	WO 1996/012262 A1	04-25-1996	Acres et al.		
	FP9	WO 2001/015790 A1	03-08-2001	De Bruin et al.		

Examiner Signature	Date Considered
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DOC#607250_1.DOC

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449A/PTO FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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Examiner Name	To Be Assigned				
Attorney Docket Number	2471.0010000				
Sheet	2	of	2		

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		Number-Kind Code ² (If Known)			
	US21				
	US22				
	US23				
	US24				
	US25				
	US26				
	US27				
	US28				
	US29				
	US30				
	US31				
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	US36				
	US37				
	US38				
	US39				
	US40				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ² Number ³ Kind Code ⁴ (If known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	FP10	WO 2002/103586 A1	12-27-2002	Pickup		
	FP11	WO 2005/107901 A1	11-17-2005	Wright et al.		
	FP12	WO 2005/107914 A1	11-17-2005	Wright et al.		
	FP13	WO 2005/107913 A1	11-17-2005	Wright et al.		
	FP14	WO 2005/083599 A1	09-09-2005	Cowan et al.		
	FP15	WO 2005/107899 A1	11-17-2005	Wright et al.		
	FP16	WO 2005/042123 A1	05-12-2005	Jomaa et al.		
	FP17	WO 2005/008514 A1	01-27-2005	Cowan et al.		
	FP18					

Examiner Signature	Date Considered
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